

SMITH LARSEN & WIXOM

ATTORNEYS
HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134
(702) 252-5002 • (702) 252-5006

1 Kent F. Larsen, Esq.
2 Nevada Bar No. 3463
3 Chet A. Glover, Esq.
4 Nevada Bar No. 10054
5 Preston S. Mathews, Esq.
6 Nevada Bar No. 13720
7 SMITH LARSEN & WIXOM
8 Hills Center Business Park
9 1935 Village Center Circle
10 Las Vegas, Nevada 89134
11 Tel: (702) 252-5002
12 Fax: (702) 252-5006
13 Email: kfl@slwlaw.com
14 cag@slwlaw.com
15 psm@slwlaw.com
16 Attorneys for Plaintiffs
17 JPMorgan Chase Bank, N.A. and
18 Federal National Mortgage Association

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

15 JPMORGAN CHASE BANK, N.A., and
16 FEDERAL NATIONAL MORTGAGE
17 ASSOCIATION,

CASE NO: 2:17-cv-01644-JCM-VCF

18 Plaintiffs,
19
20 vs.
21

**STIPULATION AND ORDER OF
FINAL JUDGMENT CONFIRMING
EXISTENCE AND VALIDITY OF
DEED OF TRUST**

22 DEBRA GEORGE as trustee of the GRACE
23 TRUST DATED 11/12/13; and SPANISH
24 TRAIL MASTER ASSOCIATION, a
25 Nevada non-profit corporation,

26 Defendants.

27
28 Plaintiffs JPMorgan Chase Bank, N.A. (“**Chase**”) and Federal National Mortgage
Association (“**Fannie Mae**”) (collectively referred to as “**Plaintiffs**”) and Defendant Debra
George as trustee of the Grace Trust Dated 11/12/13 (“**George**”) (George and Plaintiffs are

1 collectively the “**Parties**”), by and through their respective counsel of record, stipulate and
2 agree as follows:

3 1. This matter relates to real property located at 7373 Mission Hills Drive, Las
4 Vegas, Nevada 89113 (APN: 163-27-112-013) (the “**Property**”). The Property is more
5 specifically described as:

6 7 Lot 13 of Amended Plat of Court Yards at Spanish Trail No. 1, as shown by map
8 thereof on file in Book 31 of Plats, Page 33 in the Office of the County Recorder
9 of Clark County, Nevada.

10 9 2. Chase is the beneficiary of record of a Deed of Trust that encumbers the Property
11 and was recorded on January 25, 2007, as Instrument Number 20070125-0005113 in the
12 Official Records of Clark County, Nevada (the “**Deed of Trust**”).

13 13 3. On September 16, 2013, the Spanish Trail Master Association (the
14 “**Association**”) recorded a Foreclosure Deed as Instrument Number 201309160001360 in the
15 Official Records of Clark County, Nevada (the “**HOA Foreclosure Deed**”), reflecting that the
16 Association purchased the Property at a foreclosure sale of the Property held on August 23,
17 2012 (the “**HOA Sale**”).

18 19 4. On December 31, 2013, the Association recorded a Quitclaim Deed as
20 Instrument Number 201312310000401 in the Official Records of Clark County, Nevada
21 reflecting that the Association quitclaimed any interest it had in the Property to George.

22 23 5. On June 13, 2017, Plaintiffs initiated a quiet title action against George in the
24 United States District Court, District of Nevada (the “**Quiet Title Action**”).

25 25 6. The Parties have entered a confidential settlement agreement in which they have
26 settled all claims between them in this case.

27 27 7. The Deed of Trust survived and was not extinguished in any capacity by the
28 HOA Sale or the recording of the HOA Foreclosure Deed. The Deed of Trust remains a valid

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1 encumbrance against the Property following the recording of the HOA Foreclosure Deed, and
2 George's interest in the Property is subject to the Deed of Trust.

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5 Dated this 20th day of Nov., 2018.

Chfny

6 Kent F. Larsen, Esq.
7 Nevada Bar No. 3463
8 Chet A. Glover, Esq.
9 Nevada Bar No. 10054
10 Preston S. Mathews, Esq.
11 Nevada Bar No. 13720
12 Hills Center Business Park
13 1935 Village Center Circle
Las Vegas, Nevada 89134
Attorneys for Plaintiffs
JPMorgan Chase Bank, N.A. and
Federal National Mortgage Association

ROGER P. CROTEAU & ASSOCIATES, LTD.

Dated this 16th day of Nov., 2018.

RC

Roger P. Croteau, Esq.
Nevada Bar No. 1958
Timothy E. Rhoda, Esq.
Nevada Bar No. 7878
9120 West Post Road, Suite 100
Las Vegas, Nevada 89148
Attorneys for Defendant
Debra Grace as trustee of the Grace Trust
Dated 11/12/13

14 **ORDER**
15

16 Based on the above stipulation between Plaintiffs and Defendants George, the Parties'
17 agreement, and good cause appearing therefore,

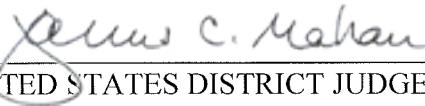
18 **IT IS ORDERED** that the Deed of Trust recorded in the Official Records of Clark
19 County, Nevada against the real property located at 7373 Mission Hills Drive, Las Vegas,
20 Nevada 89113 (APN: 163-27-112-013) (the "Property") on January 25, 2007, as Instrument
21 Number 20070125-0005113 was not extinguished, impaired, or otherwise affected by the
22 foreclosure sale conducted by the Spanish Trail Master Association (the "Association") on
23 August 23, 2012 or the recording of the Foreclosure Deed in the Official Records of Clark
24 County, Nevada, on September 16, 2013, as Instrument Number 201309160001360, reflecting
25 that the Association purchased the Property at the foreclosure sale. George's interest in the
26 Property is subject to the Deed of Trust.
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1 **IT IS FURTHER ORDERED** that Plaintiffs shall be entitled to record this
2 STIPULATION AND ORDER OF FINAL JUDGMENT CONFIRMING EXISTENCE AND
3 VALIDITY OF DEED OF TRUST in the Official Records of Clark County, Nevada in
4 accordance with the rules of the Recorder's Office.
5

6 **IT IS FURTHER ORDERED** that this order constitutes the final judgment of this
7 Court, resolving all claims in this case with prejudice, each party to bear its own fees and costs.
8

9 
10 UNITED STATES DISTRICT JUDGE

11 DATE: November 29, 2018
12